



CRL OP (MD) No.7379 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 23.04.2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

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Anandakumar

... Petitioner/ Accused No.1

Vs.

The State of Tamil Nadu
Rep. by the Inspector of Police,
Tiruchuli Police Station,
Virudhunagar District.
Crime No.60 of 2025

... Respondent/Complainant

For Petitioner : Mr.A.Balaji
Advocate

For Respondent : Mr.K.Sanjai Gandhi,
Government Advocate (Crl. Side)

PETITION FOR BAIL Under Sec.483 of BNSS, 2023

PRAYER :-

For bail in Crime No.60 of 2025 on the file of the respondent-police.

ORDER : The Court made the following order :-

This Criminal Original Petition has been filed by the petitioner on 21.04.2025 under Section 483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 praying



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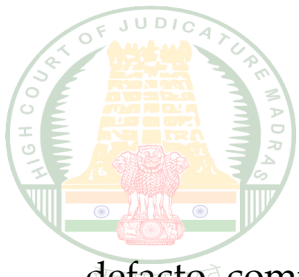
to grant bail.

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2. The petitioner/A1 was arrested and remanded to judicial custody on 21.02.2025 for the alleged offences punishable under Sections 318(2), 64, 296(b) and 351(2) of Bharatiya Nyaya Sanhita (BNS), 2023 in Crime No.60 of 2025 on the file of the respondent-police.

3. The case of the prosecution is that the petitioner and the defacto complainant were in a romantic relationship, and on the false promise of marriage, the petitioner had physical relations with her on several occasions. The petitioner's brother and sister-in-law opposed the marriage between the petitioner and the defacto complainant. On 06.02.2025, when the defacto complainant insisted that the petitioner marry her, he refused. As a result, the defacto complainant attempted to commit suicide. On 07.02.2025, the petitioner's relatives pacified the defacto complainant and assured her that they would arrange her marriage with the petitioner. However, to her shock, the defacto complainant later came to know that the petitioner had married another woman. When she questioned the petitioner about the same, he and the other accused persons allegedly abused her in filthy language and threatened her with dire consequences. Hence the case.

4. Mr.A.Balaji, learned counsel appearing for the petitioner, submits that the petitioner married one 'XXXX' in the month of January 2025, and thereafter, the



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defacto complainant lodged the present complaint with a view to defame the petitioner. He further submits that the petitioner has been in judicial custody since 21.02.2025 and that, since the investigation has been completed, further custody of the petitioner may not be necessary for the investigating agency. He further submits that the petitioner is ready to abide by any condition to be imposed by this Court. He therefore prays to grant bail to the petitioner.

5. Per contra, Mr.K.Sanjai Gandhi, learned Government Advocate (Criminal Side) appearing for the respondent-police, submits that the petitioner married one 'XXXX' in the month of January 2025, and thereafter, the defacto complainant lodged the present complaint. He further submits that the investigation has been completed and charge has been sheet filed. He further submits that if the petitioner is released on bail, he will cause threat to the defacto complainant and witnesses. Accordingly, he prays to dismiss this Criminal Original Petition.

6. Heard on both sides and perused the records.

7. The petitioner was arrested on 21.02.2025 and has been in judicial custody since then. In view of the offences allegedly committed by the petitioner and the facts and circumstances of the case and considering the fact that the investigation has been completed and the charge sheet has been filed, this Court is of the opinion that further custody of the petitioner is not necessary for the Investigating Agency in

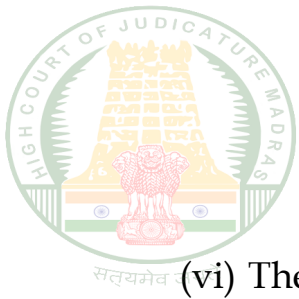


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this case. Further, the petitioner has permanent residence and deep roots in the society, and therefore, there is less possibility of absconding. Considering the same and also considering the period of incarceration suffered by the petitioner, this Court is inclined to grant bail to the petitioner, however, subject to certain conditions. Accordingly, bail is granted to the petitioner subject to the following conditions:

- (i) The petitioner shall execute a bond for Rs.10,000/- (Rupees Ten Thousand only) along with two sureties each for a like sum of Rs.10,000/- (Rupees Ten Thousand only) to the satisfaction of the learned Judicial Magistrate, Tiruchuli;
- (ii) The sureties shall affix their photographs and left thumb impression in the Application for Suretyship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Judicial Magistrate, Tiruchuli shall obtain a copy of any one of identity proofs to ensure their identity;
- (iii) The petitioner shall furnish his residential address and mobile number to the learned Judicial Magistrate, Tiruchuli;
- (iv) The petitioner shall appear and sign before the learned Judicial Magistrate, Tiruchuli, on all working days at 10.30 a.m., until further orders;
- (v) The petitioner shall attend in accordance with the conditions of the bond to be executed under Chapter XXXV of BNS, 2023;



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(vi) The petitioner shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected;

(vii) The petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence;

(viii) The petitioner shall not enter into the defacto complainant's house or workplace;

(ix) The petitioner shall not cause any threat to the defacto complainant and witness and shall also not try to contact the defacto complainant either directly or through any electronic mode;

(x) On breach of any of the aforementioned conditions, the learned Judicial Magistrate, Tiruchuli is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned conditions are imposed by him as laid down by the Hon'ble Supreme Court in P.K. Shaji vs. State of Kerala [(2005) 13 SCC 283].



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8. Accordingly, this Criminal Original Petition is allowed subject to the conditions stated supra.

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/04/2025
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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To

1 THE JUDICIAL MAGISTRATE,
TIRUCHULI.

2 THE CHIEF JUDICIAL MAGISTRATE
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.

3.The Inspector of Police,
Tiruchuli Police Station,
Virudhunagar District.

4.The officer in-charge,
District Jail, Virudhunagar.

5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.A.BALAJI, Advocate (SR-4578[I] dated 23/04/2025)



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ORDER
IN
CRL OP(MD) No.7379 of 2025
Date :23/04/2025

MK/SAR /23.04.2025 7P/7C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023